

### FORMALITIES

The Applicants respectfully remind the Examiner that an Information Disclosure Statement was filed on April 26, 2005 and request that the Examiner consider the references contained therein before issuance of the next action.

### REMARKS

Claims 1-24 are pending in the subject application. Claims 1-24 stand rejected under 35 U.S.C. 102(b). Claims 1, 3, 5, 7, 9, 13, 15, and 23 have been amended.

The Applicants appreciate the Examiner's thorough examination of the subject application and respectfully request reconsideration of the subject application based on the following remarks.

### 35 U.S.C. § 102(b) REJECTIONS

The Examiner has rejected claims 1-24 as being anticipated by U.S. Patent Number 5,652,803 to Tachikawa ("Tachikawa" or the "Tachikawa Reference"). The Applicants respectfully traverse the grounds for rejection for the reasons provided below.

The invention as claimed provides an image transmission device that prevents reproduction of specific documents when image data, which are stored in memory of an image transmission device, are requested by an external device and the data are sent to an external printing device, e.g., a remote facsimile machine. See, e.g., Specification, page 5, line 25 to page 6, line 7. Specifically, with respect to independent claims 1, 9, and 23, the invention as claimed comprises "an image transmitting section for transmitting the image data to an external image receiving device in response to a request for transmission of the image data from the external device." Thus, to anticipate (or make obvious) the invention as claimed, the

Tachikawa reference must teach these two features. The Applicants respectfully disagree with the Examiner that Tachikawa does so.

For example, the Examiner asserts that, the Tachikawa reference discloses the request and transmission features of the claims in column 16, lines 7-32. The Applicants respectfully disagree. The passage cited by the Examiner relates to a request by the managing apparatus to the image forming apparatus. Such transmissions are, for example, to set or unset copy prohibition, which is completely different from the present invention.

Referring to Tachikawa FIGS. 14A (for a non-counterfeit determination) and 21, after the main CPU (401) of the PPC (120), which is internal to the image processing unit ("IPU"), is placed in a copy mode, it sends a start signal to the CPU acting as an IPU (120a, 517) where one or more detection units (e.g., 508 and 512, 608, 708) make a determination whether the image data correspond to a prohibited specific pattern. In the non-counterfeit case, the CPU acting as an IPU (120a, 517) transmits image data to the main CPU (401) of the PPC (120) and a copy can be printed on the local PPC (120). Referring, now, to Tachikawa FIGS. 14B (for a counterfeit determination) and 21, when the main CPU (401) of the PPC (120) is placed in a copy mode, it sends a start signal to the CPU acting as an IPU (120a, 517) where one or more detection units (e.g., 508 and 512, 608, 708) make a determination whether the image data corresponds to a prohibited specific pattern. In the counterfeit case, the CPU acting as an IPU (120a, 517) transmits a copying operation prohibition command to the main CPU (401) of the PPC (120), which relays the results of this determination to the external managing apparatus (126). The external managing apparatus (126) then signals the main CPU (401) of the PPC (120) to interrupt the image forming operation of the CPU acting as an IPU (120a).

The Tachikawa reference, however, is completely silent about the availability and communicability of stored or temporarily stored image data to external devices. Tachikawa is equally silent about an external device requesting data for transmission on an external image receiving device and transmitting image data to an external

image receiving device. The external device of Tachikawa is a managing CPU (126), which never receives actual image data, rather, it receives determination data as to whether the image data are prohibited image data. See, e.g., Tachikawa, col. 9, lines 30-39.

In summary, there is nothing in Tachikawa to suggest the image transmitting section of the invention as recited in claims 1, 9, and 23. More specifically, the Tachikawa device does not request transmission of image data to an external device nor transmit image data to an external image receiving device. Accordingly, claims 1, 9, and 23 and all claims depending therefrom are not anticipated by the Tachikawa reference.

With respect to independent claims 17, 18, and 24, Tachikawa also does not teach a warning means that sends a warning to an external device when the external device requests to receive prohibited image data from the image transmission device.

Therefore, the Applicant respectfully maintains that, claims 1-24 are not anticipated by the Tachikawa reference. Accordingly, it is respectfully submitted that, claims 1-24 satisfy the requirements of 35 U.S.C. § 100, et seq., especially § 102(b), and are allowable. Moreover, it is respectfully submitted that the subject application is in condition for allowance. Early and favorable action is requested.

The Applicants believe that no additional fee is required for consideration of the within Response. However, if for any reason the fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge Deposit Account No. **04-1105**.

Respectfully submitted,

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